

## TITLE IX

### REGIONAL ECONOMIC INTEGRATION

#### ARTICLE 303

##### General Provisions

1. The Parties underline the importance of the region to region dimension and recognise the significance of regional economic integration in the context of this Agreement. They, accordingly, reaffirm their will to strengthen and deepen their respective regional economic integration processes, within the applicable frameworks.
2. The Parties recognise that regional economic integration in the areas of customs procedures, technical regulations and sanitary and phytosanitary measures are essential for the free circulation of goods within Central America and the EU Party.
3. Accordingly, and taking into account the different level of development of their respective regional economic integration processes, the Parties agree on the following provisions.

## ARTICLE 304

### Customs Procedures

1. In the area of customs, no later than two years as from the entry into force of this Agreement, the custom authority of the Republic of the CA Party of first entry shall grant a reimbursement of the duty paid when such goods are exported into another Republic of the CA Party. Such goods shall be subject to the customs duty in the Republic of the CA Party of import.
2. The Parties shall endeavour to put into place a mechanism that will ensure that goods originating in Central America or in the European Union in accordance with Annex II (Concerning the Definition of the Concept of "Originating Products" and Methods of Administrative Cooperation) to this Agreement, entering their respective territory and having been cleared at customs of import, may no longer be subject to customs duties or charges having an equivalent effect or to quantitative restrictions or measures having an equivalent effect.
3. The Parties agree that their respective customs legislation and procedures shall provide for the use of a single administrative document or electronic equivalent in the EU Party and in the CA Party, respectively, for the purposes of establishing customs declarations at import and export. The CA Party commits to achieving this objective three years after the entry into force of this Agreement.

4. The Parties shall also ensure that customs legislation, procedures and customs related requirements at import applicable to goods originating in Central America or in the European Union are harmonised at regional level. The CA Party commits to achieving this objective at the latest five years after the entry into force of this Agreement.

## ARTICLE 305

### Technical Barriers to Trade

1. In the area of technical regulations and conformity assessment procedures:
  - (a) the Parties agree that the Member States of the European Union will ensure that products originating in Central America which have been legally placed on the market of one Member State of the European Union, can also be marketed in the other Member States of the European Union, provided that the product provides an equivalent level of protection of the various legitimate interests involved (principle of mutual recognition);
  - (b) in this respect, the Member States of the European Union will accept, provided that the product provides an equivalent level of protection of the various legitimate interests involved, that a product which has fulfilled the conformity assessment procedures required by one of the Member States of the European Union, can be placed on the market of the other Member States of the European Union, without having to undergo an additional conformity assessment procedure.

2. When harmonised regional import requirements exist, products originating in the European Union should comply with the regional requirements in order to be legally marketed in the Republic of the CA Party of first import. In accordance with this Agreement, where a product is covered by harmonised legislation and a registration has to be carried out, the registration made in one of the Republics of the CA Party should be accepted by all the other Republics of the CA Party, once the internal procedures have been fulfilled.
3. Furthermore, where registration is required, the Republics of the CA Party will accept that products should be registered by group or family of products.
4. The CA Party agrees to adopt, within five years of the entry into force of this Agreement, the regional technical regulations and conformity assessment procedures that are currently in preparation and listed in Annex XX (List of Central American Technical Regulations (RTCA) in the Process of Harmonisation) to this Agreement, and to continue work towards the harmonisation of technical regulations and conformity assessment procedures, and to promote the development of regional standards.
5. For products not yet harmonised in the CA Party and not included in Annex XX, the Association Committee will establish a work program to explore the possibility of including additional products in the future.

## ARTICLE 306

### Sanitary and Phytosanitary Measures

1. The aim of this Article is to:
  - (a) promote conditions to allow goods subjected to sanitary and phytosanitary measures to freely move within Central America and the EU Party;
  - (b) promote the harmonisation and improvement of sanitary and phytosanitary requirements and procedures in the CA Party and the EU Party, including to achieve the use of a single import certificate, a single list of establishments, a single sanitary import check and a single fee for products imported from the EU Party into the CA Party;
  - (c) endeavour to ensure the mutual recognition of the verifications carried out by the Republics of the CA Party in any Member State of the European Union.
2. The EU Party shall ensure that from the date of entry into force of this Agreement, animals, animal products, plants and plant products, lawfully put on the market, can freely move within the territory of the EU Party without checks at the internal borders, provided that they comply with the relevant sanitary and phytosanitary requirements.

3. The CA Party shall ensure that from the date of entry into force of this Agreement, animals, animal products, plants and plant products shall benefit from regional transit facilitation in the territories of the CA Party in accordance with Resolution No. 219-2007 (COMIECO-XLVII) and subsequent related instruments. For the purposes of this Title, in case of imports from the EU Party, regional transit facilitation means that EU Party's goods may enter through any CA Party's border inspection post and may transit through the region, from one Republic of the CA Party to another, complying with the sanitary and phytosanitary requirements of the Party of final destination, where a sanitary or phytosanitary inspection may be conducted.

4. Provided that they comply with the relevant sanitary and phytosanitary requirements and in accordance with the existing mechanisms in the Central American regional integration process, the CA Party undertakes to grant animals, animal products, plants and plant products listed in Annex XIX (List of Products referred to in Paragraph 4 of Article 306), the following treatment: when imported into the territory of a Republic of the CA Party, the Competent Authorities will check the certificate issued by the Competent Authority of the EU Party, and may perform a sanitary or phytosanitary inspection; once clearance is provided, a product included in Annex XIX may only be subject to a random sanitary or phytosanitary inspection at the point of entry of the Republic of the CA Party of final destination.

For products included in List 1 of Annex XIX, the above obligation will apply no later than two years after the entry into force of this Agreement.

For products included in List 2 of Annex XIX, the above obligation will apply no later than five years after the entry into force of this Agreement.

5. Without prejudice to the rights and obligations of the Parties (the EU Party or the Republics of the CA Party) under the WTO Agreement and the sanitary and phytosanitary procedures and requirements established by each Party, an importing Party should not be required to grant a more favourable treatment to products imported from the exporting Party than the treatment given by the exporting Party in its intra-regional trade.
6. The Association Council may modify Annex XIX (List of Products referred to in Paragraph 4 of Article 306) following recommendations by the Sub-Committee on Sanitary and Phytosanitary Matters to the Association Committee, in line with the procedure established in Title XIII (Specific Tasks in Trade Matters of the Bodies Established under this Agreement) of Part IV of this Agreement.
7. The Sub-Committee mentioned in paragraph 6 shall closely monitor the implementation of this Article.

## ARTICLE 307

### Implementation

1. The Parties recognise the importance of increased cooperation to achieve the objectives of this Title and to address this issue through the mechanisms foreseen in Title VI (Economic and Trade Development) of Part III of this Agreement.

2. The Parties undertake to consult on issues related to this Title with the view to ensuring the effective implementation of the region to region dimension of this Agreement and the objectives of regional economic integration.
3. The progress of the CA Party in the implementation of this Title shall be subject to regular progress reports and working programs by the CA Party covering Articles 304, 305 and 306. The progress reports and working programs shall be presented in writing and shall set out all steps taken towards implementation of obligations and objectives defined in paragraphs 1, 3 and 4 of Article 304, paragraphs 2, 3 and 4 of Article 305 and paragraphs 3 and 4 of Article 306, as well as the steps envisaged for the period prior to the next progress report. Progress reports and working programs shall be submitted every year until the commitments specified in this paragraph are effectively complied with.
4. The Parties will consider the inclusion of further areas to this Title five years after the entry into force of this Agreement.
5. The commitments on regional integration assumed by the CA Party under this Title are not subject to dispute settlement procedures under Title X (Dispute Settlement) of Part IV of this Agreement.